

LEHOTSKY KELLER COHN LLP

January 22, 2025

Nwamaka Anowi, Clerk of the Court
U.S. Court of Appeals for the Fourth Circuit
1100 East Main Street, Suite 501
Richmond, Virginia 23219

Re: Rule 28(j) Letter in *Griffin v. North Carolina Board of Election*, Nos. 25-1018, 25-1019, 25-10241

We write to notify the Court of the Supreme Court of North Carolina's order in *Griffin v. N.C. Bd. of Elections*, No. 320P24 (Sup. Ct. N.C. Jan. 22, 2025), issued this evening as Petitioner-Appellee was finalizing his brief in this appeal. The order "dismisses the petition for writ of prohibition so that the Superior Court of Wake County may proceed with the appeals" pending before it, maintains the earlier-issued stay, and orders the Superior Court of Wake County "to proceed expeditiously." Ex. A at 3.

If this Court proceeds with oral argument on Monday, undersigned counsel will be prepared to address the order. But in light of this material development, Petitioner-Appellee respectfully suggests that the Court may wish to postpone oral argument and order supplemental briefing to address the impact of this new order on the merits of this appeal and this Court's jurisdiction.

Respectfully submitted,

/s/ William T. Thompson

William T. Thompson

Counsel of Record

Kyle D. Hawkins

LEHOTSKY KELLER COHN LLP

408 W. 11st Street, 5th Floor

Austin, TX 78701

(512) 693-8350

will@lkcfirm.com

Mark M. Rothrock

LEHOTSKY KELLER COHN LLP

8513 Caldbeck Drive

Raleigh, NC 27615

(336) 416-3326

mark@lkcfirm.com

Counsel for Petitioner-Appellee

CERTIFICATE OF SERVICE

I certify that on January 22, 2025, this brief was served via CM/ECF on all registered counsel and transmitted to the Clerk of the Court. Counsel for all parties to the case are registered CM/ECF users and will be served by the appellate CM/ECF system.

/s/ William T. Thompson

William T. Thompson